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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,732	04/02/2004	Oni Yang	BHT-3107-154	1547
7590	09/12/2005		EXAMINER	
TROXELL LAW OFFICE PLLC SUITE 1404 5205 LEESBURG PIKE FALLS CHURCH, VA 22041			TIBBITS, PIA FLORENCE	
			ART UNIT	PAPER NUMBER
			2838	

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/815,732

Applicant(s)

YANG, ONI

Examiner

Pia F. Tibbits

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION*****Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the top, the side, the outlet, the first cellular phone, the second cellular phone, the third contact, the fourth contact, the third cellular phone, etc. must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification. For example: a) on page 3 "A charging circuit...is electrically interconnected the first contacts and the transformer", b) "a phone compartment 21 for receiving a lower portion of a cellular phone so as to charge the cellular phone through a contact therein"(the battery of the phone is charged, not the phone) should be corrected.

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3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter: "first cellular phone", "second cellular phone", "third contact", "fourth contact", "third cellular phone". See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction is required.

***Claim Objections***

4. Claims 4 and 6 are objected to because of the following informalities:

Claim 4: "prior to supplying to the first contacts" should be replaced by --- prior to supplying the DC voltage to the first contacts---.

Claim 6: the recitation "whereby coupling the second-connector for travel charger to a third cellular phone and inserting the first connector the socket will supply DC voltage from the charging circuit, the first contacts, and the socket to the third cellular phone for charging" needs to be checked for clarity and proper antecedence for all limitations. It is not clear how the first contacts 16 could provide DC voltage/power to socket 31.

"travel charger", "the other end" lack antecedence.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Corbus** [6897785] in view of **Kim** [6348776] in view of **Hsieh** [6663248].

In claims 1 and 3: the use of "**and/or**" in the claim makes the claim language confusing because it is not clear what applicant is actually claiming. Furthermore, applicant is reminded that "**or**" should only be used with alternate terms, e.g., rod or bars, etc.

In claim 1, the statement following "whereby" is not given patentable weight, since the courts held that the functional "whereby" statement does not define any structure and accordingly cannot serve to distinguish. *In re Mason*, 114 USPQ 127, 44 CCPA 937 (1957).

Corbus discloses in fig.1 a desk lamp 1 comprising a recess 2a formed on a top 1 including a plurality of first contacts, and a charging seat [see fig.1, column 2, line 22] shaped to snugly fit in the recess 2a [see column 2, lines 20-24]. Corbus does not disclose a transformer formed within the base, the transformer being connected to the lamp in parallel and being operative to lower AC voltage, a circuit board formed inside the base, the circuit board including a surface of a base of the lamp, the recess charging circuit electrically connected to the first contacts, the charging circuit being operative to convert an AC voltage output from the transformer into DC voltage, the charging seat including a phone compartment, a battery compartment, and a plurality of second contacts-formed on a side.

As to the limitation "a plurality of first contacts": it is an inherent function of the recess to include a plurality of first contacts in order to provide charging power, and MPEP 2100 states that the disclosure of a limitation may be expressed, implicit or **inherent**.

Kim discloses in figures 1-4 a charger including a PCB 300 formed inside the base 100 with the charging seat including a phone compartment 110, and a battery compartment 120 [see column 1, lines 33-40]. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Corbus's apparatus and include a PCB 300 formed inside the base with the charging seat including a phone compartment, and a battery compartment, as disclosed by Kim, in order to allow a user to recharge a device/phone and a battery simultaneously.

Corbus and Kim do not disclose a transformer formed within the base, the transformer being connected to the lamp in parallel and being operative to lower AC voltage, the charging circuit being operative to convert an AC voltage output from the transformer into DC voltage.

As to the limitation "a plurality of second contacts-formed on a side": it is an inherent function of the charging seat to include a plurality of second contacts in order to provide charging power, and MPEP 2100 states that the disclosure of a limitation may be expressed, implicit or **inherent**.

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Hsieh discloses in figures 1-5 a transformer 111 formed within the base of a lamp 20, the transformer 111 being connected to the lamp in parallel [see fig.2] and being operative to lower AC voltage, the charging circuit being operative to convert an AC voltage output from the transformer into DC voltage via rectifier 112 [see column 2, line 3]. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Corbus's and Kim's apparatus and include a transformer and a rectifier, as disclosed by Hsieh, in order to allow a user to recharge a device/phone and a battery simultaneously when an AC power source is available.

As to claim 2, Corbus discloses a (dimmer) switch 4 [see column 2, lines 25-26]. As to a power cord extended from the base, the power cord being operative to insert into an outlet: it is an inherent function of the desk lamp disclosed by Corbus, Kim and Hsieh to include an AC power source connection, i.e., a power cord to provide AC charging power, and MPEP 2100 states that the disclosure of a limitation may be expressed, implicit or **inherent**.

As to claim 5, see remarks and references above.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Corbus, Kim and Hsieh** in view of **Bouchard et al.** [hereinafter Bouchard] [6663248].

Corbus, Kim and Hsieh do not disclose a fluorescent lamp.

Bouchard discloses a compact fluorescent lamp, and that the fluorescent lamp is the most widely utilized light source in the world for general illumination, primarily because of its relatively low initial cost and its efficacy [see column 1, lines 14-16]. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Corbus's, Kim's, and Hsieh's apparatus and include a fluorescent lamp, as disclosed by Bouchard, in order to have a low initial cost and efficient light source.

8. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Corbus, Kim and Hsieh** in view of **Lorenz** [5187653].

Corbus, Kim and Hsieh do not disclose a stabilizer electrically coupled to a DC voltage output of the rectifier for obtaining a stable DC voltage prior to supplying to the first contacts.

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Lorenz discloses in figures 1-3 a stabilizer/capacitance means 104 connected across a DC voltage/rectifier 100 for smoothing the DC voltage [see column 3, lines 61-62]. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Corbus's, Kim's, and Hsieh's apparatus and include a stabilizer electrically coupled to a DC voltage output of the rectifier, as disclosed by Lorenz, in order to smooth the DC voltage.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Corbus, Kim and Hsieh** in view of **Chang** [5687234].

In claim 6, the statement following "whereby" is not given patentable weight, since the courts held that the functional "whereby" statement does not define any structure and accordingly cannot serve to distinguish. *In re Mason*, 114 USPQ 127, 44 CCPA 937 (1957).

Corbus, Kim and Hsieh do not disclose a second connector for travel charger formed at another end of the charging cord.

Chang discloses in figures 1-9 a travel charger having a phone connector 110 [see fig.9]. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Corbus's, Kim's, and Hsieh's apparatus and include a connector, as disclosed by Weng, in order to be able to charge an additional phone.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in PTO-892 and not mentioned above disclose related apparatus: **Nolan et al.** [6599000] discloses a lamp including a power cord 32a.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Pia Tibbits whose telephone number is 571-272-2086. If unavailable, contact the Supervisory Patent Examiner Mike Sherry whose telephone number is 571-272-2084. The Technology Center Fax number is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from

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either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PFT

September 6, 2005

Pia Tibbits

Primary Patent Examiner